

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

Betty Jean Boykins,

Debtor.

Case No. 13-cv-03050-RLV

Bank of America, N.A.,

Appellant,

v.

Betty Jean Boykins,

Appellee.

**BANK OF AMERICA, N.A.'S STATEMENT OF ISSUE AND
DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON
APPEAL TO THE ELEVENTH CIRCUIT**

Appellant Bank of America, N.A. hereby submits this Statement of Issue and Designation of Record On Appeal with respect to this appeal of the final order and judgment of the United States District Court for the Northern District of Georgia (Jones, J.), entered on October 22 2013.

STATEMENT OF ISSUE

Bank of America states that this appeal presents the following issue:

Whether the Bankruptcy Code permits a chapter 7 debtor to “strip off” a junior mortgage lien when the value of the property securing that lien is less than the amount of outstanding debt secured by a senior mortgage lien on the property.

DESIGNATION OF RECORD ON APPEAL

Bank of America designates the following items for inclusion in the record of this appeal:

In re Betty Jean Boykins
Case No. 13-60912-JRS (Bankr. N.D. Ga)

Filing Date	Docket No.	Docket Text
June 14, 2013	15	Motion to Determine Secured Status of Claim of Junior Lien Holder BAC Home Loans, LP a Subsidiary of Bank of America filed by E. L. Clark on behalf of Betty Jean Boykins. Hearing to be held on 7/18/2013 at 02:00 PM in Courtroom 1404, Atlanta, (Clark, E.) Modified on 6/17/2013 (hd).
July 15, 2013	18	Response to Motion to Avoid Lien (RESPONSE TO DEBTORS MOTION TO DETERMINE SECURED STATUS OF CLAIM AND RELEASE UNDERLYING LIENS ON PROPERTY [DKT No. 15]) filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. Reply due by 8/1/2013, (related document(s) 15 Motion to Strip Lien filed by Betty Jean Boykins) (Grodzicki, J.) TEXT Modified on 7/16/2013 (mrr).

August 12, 2013	21	Order GRANTING Motion to Determine Secured Status of Claim of Junior Lien Holder BAC Home Loans, LP. (Related Doc # 15) Service by BNC. Entered on 8/12/2013. (lvh)
August 13, 2013	22	Notice of Appeal to District Court. Fee Amount \$298 filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. Appellant Designation due by 8/27/2013, submission due by 9/12/2013, (related document(s) 21 Order on Motion to Strip Lien)(Grodzicki, J.)
August 23, 2013	27	Statement of Issues on Appeal <i>and Designation of Record on Appeal</i> filed by J. Kelsey Grodzicki on behalf of BANK OF AMERICA, N.A.. (Grodzicki, J.)

Bank of America, N.A. v. Betty Jean Boykins
Case No. 13-cv-03050-SCJ (N.D. Ga)

Filing Date	Docket No.	Docket Text
Sept. 17, 2013	3	MOTION for Order <i>Affirming Decision of Bankruptcy Court</i> with Brief In Support by Bank of America, N.A.. (Attachments: # 1 Exhibit "A" - Order, # 2 Exhibit "B" - Text of Proposed Order)(Grodzicki, Joseph) (Entered: 09/17/2013)
October 22, 2013	5	ORDER granting the 3 Motion for Order affirming decision of Bankruptcy Court. Signed by Judge Steve C Jones on 10/21/13. (aaq) (Entered: 10/22/2013)
October 22, 2013	6	CLERK'S JUDGMENT AFFIRMING the United States Bankruptcy Court Order dated August 12, 2013 granting the Motion to Determine Secured Status of Claim of Junior Lien Holder. (aaq)--Please refer to

		http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (Entered: 10/22/2013)
October 23, 2013	7	NOTICE OF APPEAL as to 5 Order on Motion for Order, 6 Clerk's Judgment, by Bank of America.. Filing fee \$ 455, receipt number 113E-4851125. Transcript Order Form due on 11/6/2013 (Grodzicki, Joseph) (Entered: 10/23/2013)

Respectfully submitted, this 23rd day of October, 2013.

/s/ J. Kelsey Grodzicki

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FONT CERTIFICATION

The undersigned counsel for Bank of America, N.A. hereby certifies that the within and foregoing was prepared using Times New Roman, 14-point font in accordance with LR 5.1(B).

This 23rd day of October, 2013.

/s/ J. Kelsey Grodzicki
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CERTIFICATE OF SERVICE

I hereby certify that I have this 23rd day of October, 2013, served all parties in this matter with the foregoing by CM/ECF and by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

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